

REMARKS

Claims 1-15 are pending in this application. In the Office Action of October 17, 2006, claims 1-7 and 10-15 were rejected as being anticipated under 35 U.S.C. §102(e) by U.S. Patent No. 6,332,880 (Yang). Claims 8 and 9 are rejected under 35 U.S.C. §103(a). In particular, claim 8 is rejected as being unpatentable over Yang in view of Patent No. 5,971,983 (Lesh) and claim 9 was rejected as being unpatentable over Yang in view of U.S. Patent No. 6,237,605 (Vaska).

Reconsideration and withdrawal of the rejections and objections are requested for the reasons stated below.

35 U.S.C. § 102 Rejection

Claims 1-7 and 10-15 have been rejected as being anticipated by Yang. Claim 1, as presently presented, recites a guiding introducer that is pre-shaped to direct a catheter towards the pulmonary vein. Yang fails to disclose a guiding introducer that is pre-shaped to guide a catheter towards a targeted area such as the pulmonary vein.

Yang discloses a pre-shaped wire 72 attached to the distal end 16 of a catheter 12. In order to maintain the pre-shaped wire in a straight or unbent condition, a rigid sheath (74), (identified by the Examiner as being a "transeptal sheath") is provided. "The

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sheath (74) retains the distal catheter end (16) in a straightened configuration against the normal bias of the wire (72). The sheath may include spirally or helically wound fibers to provide enhanced torsional stiffness to the sheath (74)." Yang, Col. 12, Lines 6-13. A second, flexible sheath (26) (identified by the Examiner as being a "pre-shaped guiding introducer") bends with the pre-shaped wire, forming elbow (70) when the rigid sheath (74) is withdrawn.

Neither sheath (26) or sheath (74) are pre-shaped to direct the catheter towards a pulmonary vein, or any other target. Indeed, it is difficult to envision how sheath 26, that wire 72 acts upon to bend, could be characterized as "pre-shaped" when the bending occurs after introduction of sheath 74 into the atrium or target area.

The Examiner states that the sheath 74 and 26 are "pre-shaped" by mere virtue of their being tubular. In order to clarify that the guiding introducer of claim 1 is pre-shaped beyond merely being somewhat tubular, claim 1 has been amended to state that the guiding introducer is pre-shaped to direct the catheter towards the pulmonary vein.

Therefore, it is clear that Yang fails to anticipate claims 1-8 and 10-15 of the present application.

35 U.S.C. §103 Rejections

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Claim 8 is rejected as being unpatentable over Yang in view of Lesh and claim 9 is rejected as being unpatentable over Yang in view of Vaska. Claims 8 and 9 are dependent upon claim 1. As stated above, Yang fails to disclose a pre-shaped guiding introducer that directs a catheter, slidable therein, towards a pulmonary vein. Thus, even if Yang were combined with Lesh or Vaska, it would not result in the present invention as recited in claims 8 and 9.

CONCLUSION

Every effort has been made to particularly and distinctly define the subject matter of the invention. The claims are definite, and are patentable over the prior art of record. For all the foregoing reasons, the differences between the invention and the prior art of record are such that the subject matter claimed as a whole is patentable over the prior art cited by the Examiner. Reconsideration and allowance of the pending claims are respectfully requested.

A Petition for Extension of Time to respond to the Office Action date October 17, 2005 is submitted herewith. Please charge any fees to Deposit Account No. 10-0750/ATR-15/CON in the name of Johnson & Johnson for the cost of filing this Petition

Respectfully submitted,

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Date: March 17, 2006
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